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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,433	03/01/2002	Hung Viet Ngo	C3043US;680-010481-US(PAR	3428
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HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER KANG, JULIANA K	
			ART UNIT	PAPER NUMBER
			2874	

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,433

Applicant(s)

NGO, HUNG VIET

Examiner

Juliana K. Kang

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004 and 15 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-28, 42 and 43 is/are allowed.
- 6) ☒ Claim(s) 29-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Applicant's communication filed on December 15, 2004 has been carefully studied by the Examiner. The Benner et al reference relied upon during the previous final rejection does not appear to be a proper reference, thus the rejections based upon the Benner et al reference are hereby withdrawn. Claims 1-28, 42 and 43 are still allowable as indicated during the last Office action. However since amendments (August 16, 2004) made to claims 29-41 necessitated new ground(s) of rejection, this action is made final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 29-33, 35-39 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duran (U.S. Patent 6,688,780 B2) and further in view of Estrella et al (U.S. Patent 6,695,485 B1).

Regarding claims 29, 31, 32, and 39, Duran discloses an optical fiber adapter with all the claimed limitations (see Fig. 3b) except the passage of the housing that is slanted relative to the mounting section. Estrella et al teach an optical fiber adapter with the passage of the housing that is slanted relative to the mounting section to avoid any potential eye injury to a technician (see column 3 lines 20-37). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made

Art Unit: 2874

to use apply the slanted passage as taught by Estrella et al in Duran to protect a user eyes from eye damages.

Regarding claim 30, Duran teaches latches (266, 266') and coupling sleeve notches (230, 230') to locking the latch inserts in the housing after the latch inserts are inserted into the housing.

Regarding claim 33, Duran discloses that the housing is made of metal (see column 5 lines 47-49).

Regarding claims 36 and 41, Duran discloses a shutter (250, door) that is pivotally mounted to the housing.

Regarding claim 37, even though Duran's shutter does not require a spring, Duran clearly states that spring-loaded shutter is well known in the art.

Regarding claim 38, Duran teaches using MTP and MPO connectors (see column 5 lines 26-30).

4. Claims 34 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duran (U.S. Patent 6,688,780 B2) and Estrella et al (U.S. Patent 6,695,485 B1) and further in view of Szilagyi et al (U.S. Patent 6,305,961 B1).

As described above Duran and Estrella et al teach the claimed limitation except the mounting section having a recess for an EMI gasket. Szilagyi et al teach that it is known in the art to use EMI gaskets between the mating portions of the connector assembly to prevent electromagnetic interference (see column 1 lines 41-47). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use an EMI gasket in Duran and Estrella et al as taught by Szilagyi et al to

prevent EMI leakage and also having a recess area in the mounting section would have been obvious in order to have the EMI gasket in place.

Response to Arguments

5. Applicant's arguments with respect to claims 29-41 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliana K. Kang whose telephone number is (571) 272-

Art Unit: 2874

2348. The examiner can normally be reached on Mon. & Fri. 10:00-6:00 and Tue. & Thur. 10:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rod Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JULIANA KANG
PRIMARY EXAMINER